

ORDINANCE NO. 12.
Relating to Liquor and Liquor Control.

Be it ordained by the Board of Trustees of the Town of Nucla,
Colorado:

SECTION 1. DEFINITION OF TERMS.

The definitions of the words, "vinous liquors", "malt liquors", "spirituous liquors", contained in Section 6 of Chapter 12 of the Session Laws of the State of Colorado of the Extraordinary Session which convened August 2, 1933, are hereby adopted as the definition of said terms for the purpose of this ordinance, except that vinous liquors shall never be construed to cover fortified wines containing more than twenty-two per centum of alcohol by volume. As used in this ordinance, the term "person" shall include a corporation, co-partnership or any association of persons and the plural shall include the singular. The singular pronoun shall include the plural and the masculine pronoun shall include the feminine and neuter.

SECTION 2. MANUFACTURE.

It shall be unlawful for any person to manufacture within the Town of Nucla, for sale, any malt, vinous or spirituous liquors without first having obtained a license therefor in accordance with the laws of the State of Colorado.

SECTION 3. SALE.

No person shall sell, barter or trade or offer to sell vinous or spirituous liquors within the Town of Nucla, without first having obtained a license so to do from the Town Board in accordance with the provisions of the laws of the State of Colorado.⁴ No person shall sell or give away any of said liquors to any habitual drunkard, an intoxicated or mentally incompetent person or to any one under the age of twenty-one years.

SECTION 4. CONSUMPTION.

It shall be unlawful to drink or consume any malt, vinous or spirituous liquors in any restaurant, pool hall, dance hall, retail liquor store, business house, school house, public building or other place of public gathering for amusement or entertainment or upon any street, avenue, alley, side walk, vacant lot or other public place within the Town of Nucla, provided, that malt and vinous liquors may be consumed upon the premises of a place duly licensed therefor by the ~~Town~~

It shall be unlawful for any person, being the owner, occupant or in charge of any dance hall, pool hall, restaurant, school house, recreation hall, public building or other place of public gathering for amusement or entertainment, to permit the consumption or drinking of said liquors or any of them upon said premises (except it be a place duly licensed for sale thereof for consumption upon the premises), and any such person who shall knowingly permit those engaged in the violation to be of any of the provisions of this ordinance to be in attendance at such place, shall be deemed guilty of keeping a disorderly house and shall be subject to the penalties provided for the violation of this ordinance.

SECTION 5. POSSESSION.

It shall be unlawful for any person to have in his possession any malt vinous or spirituous liquors in any unsealed container in any place mentioned in Section 4 of this act, except in a place duly licensed for sale thereof for consumption on the premises or except the same by purchased and used for medical purposes.

SECTION 6. MEDICAL LIQUOR.

It shall be unlawful to use or consume for beverage purposes, any malt, vinous or spirituous liquors purchased for medical purposes and the possession of any such liquors in any place mentioned in Section 4, thereof, except in the necessary transportation thereof from the place of purchase to the home or place of residence of the purchaser, shall be prima facie evidence of a violation of this section.

SECTION 7. RETAIL STORES AND RESTURANTS.

All windows in the front of any retail liquor store or of any restaurant where liquor is sold under license, shall be the clear glass and no screen, curtain or other device shall be used so as to obstruct the view of the interior from the street. There shall be no partition, screen, curtain or other device which shall obstruct the view of any part of said room from the general observation of persons in said room, provided however, that booths open to one side thereof shall not be construed as in conflict with the foregoing.

All premises licensed for the sale of liquor shall be open to inspection by any police officer or other properly designated officer of the ~~Town~~ at any time during which the place so licensed is open to the public for business.

SECTION 8. LICENSE REVOCATION.

Any license granted by the Town Board for the sale of malt, vinous or spirituous liquors may be revoked by said Council for any cause which it may, within its discretion, deem sufficient. The violation, by the licensee, of any of the provisions of this ordinance or any law of the state of Colorado relating to alcohol or intoxicating liquors, shall be deemed sufficient grounds for the revocation

of such license. Upon the revocation of any such license no portion of the license fee paid into the Town Treasury shall be refunded to the licensee.

SECTION 9. PENALTY.

Any person found guilty of violation of any provision of this ordinance shall, upon conviction thereof, be fined not more than three hundred dollars or may be punished by confinement in Town jail for not more than ninety days.

SECTION 10. REPEAL.

Any ordinance or part of ordinance of the Town of Nucla in conflict with this ordinance are hereby repealed.

Read at the regular board meeting January 8, 1936, and re-read and approved and adopted and ordered posted at the regular meeting of February 12, 1936.

W.C. Huntley
Mayor

W.C. Huntley
Clerk,

Attest
State of Colorado } ss
Town of Nucla }

I, W.C. Huntley, Town Recorder of the Town of Nucla, do hereby certify that the foregoing ordinance was regularly introduced and adopted at the regular meeting of the Board of Trustees of the Town of Nucla, held at the Town Hall on the 12th day of February 1936, and three copies ordered posted at the following places: Town Hall, Post Office and the Congregational Church.

Given under my hand as recorder of the Town of Nucla, and the seal of said Town this 12th day of February 1936.

W.C. Huntley
Recorder

